



U.S. Department of Justice

Brett L. Tolman

United States Attorney
District of Utah

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CONTACT: MELODIE RYDALCH
801-325-3206
801-243-6475 (cell)

NEWS RELEASE
UTAH PROJECT SAFE NEIGHBORHOODS
FOCUSING ON INDIVIDUALS
DEALING FIREARMS WITHOUT
A FEDERAL FIREARMS LICENSE

SALT LAKE CITY -- Utah Project Safe Neighborhoods, an anti-gun violence initiative focusing local, state, and federal law enforcement and prosecution resources on reducing gun violence in Utah, has a message for Utahns today:

Individuals who sell firearms as a business venture, have a revolving inventory of firearms they sell or are profiting through the repetitive purchase and resale of firearms without a federal firearms license may be breaking federal law and could be subject to federal prosecution and a five-year federal prison sentence if they are convicted of the charge.

"Utah Project Safe Neighborhoods targets criminals who possess guns. However, it is important for us to also focus on the sources criminals are using to get guns. We are attempting to stop the stream of guns that are finding their way into the hands of criminals or other restricted persons," U.S. Attorney Brett L. Tolman said today. "One way to stop the flow of guns to criminals is to vigorously enforce existing laws that govern the dealing of firearms."

"Utah Project Safe Neighborhoods recognizes the Second Amendment rights of Utahns to own firearms. However, under federal law, certain individuals are prohibited from possessing a firearm," Tolman said. Individuals with felony convictions, those in the country illegally, those addicted to drugs, those subject to

domestic violence protective orders , those who have prior domestic violence assault convictions and those adjudicated as mentally defective, are restricted under federal law from possessing a firearm.

According to Tolman, when a person buys a firearm from a licensed federal gun dealer, the buyer submits a detailed questionnaire and an instant background check is done to determine if the buyer has a criminal record. If the intended purchaser fails that check, he doesn't get the gun.

"This vital process keeps guns out of the hands of felons, drug addicts, domestic violence abusers, and those adjudicated as mentally defective. Federally licensed gun dealers must abide by this requirement, and, in doing so, they help keep Utah communities safe," Tolman said.

On the other hand, Tolman said, those who engage in dealing firearms without obtaining a federal license "unilaterally and unlawfully opt out of the requirement to conduct background checks of persons to whom they sell guns. There is no reliable way for these unlawful gun dealers to know they are not selling a gun to a convicted felon. This is a serious violation of the law and one that will be prosecuted in Utah," Tolman said.

Tolman said four recent Utah PSN cases are good examples of how federal firearms laws work in this area.

ATF agents in Utah conducted an 18-month undercover investigation at gun shows along the Wasatch Front. As a result of the investigation, law enforcement officers identified a number of people who were engaged in the unlicensed, and therefore unlawful, business of selling firearms at these popular gun shows.

Three individuals, David Yadron, age 66, of Provo; Harvey Ritter, age 58, of Jackson, Wyo.; and Grover Mark Snedeger, age 70, of Richfield, were charged in separate indictments last fall with dealing firearms without a license at gun shows in Utah. Tolman said that each of these men sold many firearms without conducting background checks or knowing much about the persons who were purchasing their firearms.

"Other than the firearms charges we are talking about today, these men have no other criminal record. In consideration of that fact and other factors, my office has entered into what are called diversion agreements with each of them where the

prosecutions are diverted, or put on hold, for a period of time," Tolman said.

"They have agreed to abide by certain conditions, including community service, cooperation with the U.S. Attorney's Office, and abiding by federal firearms laws. If the terms of the agreement are satisfied, my office will move to dismiss the indictments against them," Tolman said.

As a part of the diversion agreement, the individuals voluntarily agreed to join Tolman at a press conference today in Salt Lake City in an effort to educate the public and those who may, inadvertently or intentionally, be violating federal firearms laws as they once did.

Copies of their press conference statements are included with this press release.

Tolman offered another example of a Utah PSN case which demonstrates how federal gun laws, used during the attempted purchase of a firearm at a gun show, protect the public.

Creshon Lamont Butler, age 21, of Salt Lake City, a convicted felon, tried to buy a gun at a recent gun show in Utah. He approached a licensed federal firearms dealer at the gun show. During the instant background check conducted as a part of the process, it was determined that he lied about his felony record on the questionnaire he filled out. The case is being prosecuted federally and on Wednesday, Butler pleaded guilty to the charge. The end result is that a convicted felon was denied a firearm and faces substantial federal prison time when he is sentenced in July. (A copy of Mr. Butler's plea agreement with federal prosecutors and the indictment is included with this press release.)

"This is how the system is supposed to work. When gun dealers obey the law, the law protects each of us. If Mr. Butler had approached an unlicensed dealer at the gun show, he probably would have walked out the door and into one of our Utah neighborhoods with a firearm in hand. Experience tells us this is a recipe for disaster," Tolman said.

In general, a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his personal collection is not considered a firearms dealer and generally would not need a firearms license. However, a person who devotes time,

attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms needs a federal firearms license. Anyone with questions about whether they need a federal firearms license can call ATF.

Utah Project Safe Neighborhoods, which includes local, state, and federal law enforcement agencies and prosecutors as well as other community partners, started in March 2000. More than 3,700 cases have been screened for federal prosecution and 1,772 defendants have been indicted. Sentences range from one month to 780 months with an average sentence of 43 months. Over the last two years, 20 "lie and try" cases have been filed by the U.S. Attorney's Office and five individuals have been charged with dealing firearms without a license.

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